



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Y. YAMAMOTO

Serial No.: 10/606,953

Group Art Unit: 6324

Filed: June 27, 2003

Examiner: DEVON C. KRAMER .

For: SHIFT ACTUATOR FOR A TRANSMISSION

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450

**RECORD OF TELEPHONE INTERVIEW**

Sir:

The Office Action of May 18, 2004 requires election of a single species and listing of all claims reading on the elected species. Since this application has only one claim, the requirement is inappropriate.

On May 25, 2004 the undersigned attorney telephoned Examiner Devon C. Kramer who stated that the drawings show several species, and that an amendment might add claims to different species. The undersigned attorney responded that if such an amendment were filed, it would likely be held that a constructive election of the species of the original claim had been made by filing that claim, and so claims to any other species would not be examined. Examiner Kramer then said that the existing election requirement should be traversed.

On May 25, 2004, the undersigned attorney then telephoned Examiner Jack Lavinder, identified in the Office Action as Examiner Kramer's supervisor. Examiner Lavinder agreed that the requirement for election of a single species was inappropriate and said that he would send a paper canceling the Office Action.

During the telephone interview with Examiner Lavinder, the undersigned attorney

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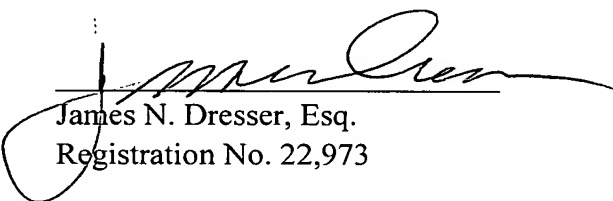
also pointed out that he was no longer at the address at which he had been at the time the application was filed, and that he had filed two notices of his new address, but that, nevertheless, the Office Action had been sent to his old address. Examiner Lavinder confirmed that the PAIR system shows the filing of at least one of the notices of change of address, and he said that he would have the necessary action taken to have further papers sent to the correct address.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Attorney's Deposit Account No. 50-0481 and please credit any excess fees to such deposit account.

Respectfully Submitted,

Date:

May 26, 2004

  
James N. Dresser, Esq.

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